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Attorneys for Defendant  
United States of America

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

<p>SAMSON TUG AND BARGE CO., INC., an Alaska Corporation</p> <p>Plaintiff/Appellant</p> <p>v.</p> <p>UNITED STATES OF AMERICA,</p> <p>acting by and through</p> <p>the UNITED STATES DEPARTMENT of the NAVY MILITARY SEALIFT COMMAND, and UNITED STATES DEPARTMENT OF THE ARMY MILITARY TRAFFIC MANAGEMENT COMMAND</p> <p>Defendants/Appellees</p>	<p>) Civil No. A03-006 CV</p> <p>) IN ADMIRALTY</p> <p>)</p> <p>)</p> <p>) DECLARATION OF</p> <p>) JEANNE M. FRANKEN</p> <p>) IN SUPPORT OF ITS REPLY TO</p> <p>) PLAINTIFF'S OPPOSITION</p> <p>) TO THE GOVERNMENT'S</p> <p>) MOTIONS IN LIMINE</p> <p>)</p> <p>)</p> <p>)</p>
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I, Jeanne M. Franken, do hereby declare and affirm the following matters in support

1 of defendant's reply to the plaintiff's opposition to the Government's motions *in limine*  
2 regarding witnesses:

3 1. I am a Trial Attorney with the West Coast Office of the Torts Branch, Civil  
4 Division, United States Department of Justice, and one of the attorneys for defendant, United  
5 States of America, herein, and make this declaration based on information and belief.

6 2. I have knowledge of the matters asserted herein.

7 3. Attached to the reply as "A" is a true and correct copy of a Notice of  
8 Examination for two individual deponents, which I served on plaintiff in July of 2006, and  
9 which was marked as Exhibit 25 when those depositions were convened.

10 4. Attached to the reply as "B" is a true and correct copy of a Notice of  
11 Examination for two additional individual deponents, which I served on plaintiff in August  
12 of 2006, and which was marked as Exhibit 71 when those depositions were convened.

13 I hereby verify under penalty of perjury, and in accordance with 28 U.S.C. §1746, that  
14 the foregoing is true and correct.

15 Executed this 24<sup>th</sup> day of April, 2008.

16 /s/ Jeanne M. Franken  
17 JEANNE M. FRANKEN  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 24, 2008, a copy of the foregoing  
DECLARATION OF JEANNE M. FRANKEN IN SUPPORT OF REPLY, was  
served electronically on:

Richard D. Gluck, Esq.  
Garvey Schubert Barer

William G. Royce, Esq.  
Law Office of William G. Royce

Attorneys for Plaintiff/Appellant  
Samson Tug and Barge Company, Inc.

s/Jeanne M. Franken

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JEANNE M. FRANKEN